

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI**

CHARLES LEE THORNTON,

Plaintiff,

vs.

CITY OF KIRKWOOD,

Defendant.

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Case No. 4:07CV0079-CDP

DECLARATION OF JOHN M. HESSEL

I, John M. Hessel, being of lawful age, declare and state the following:

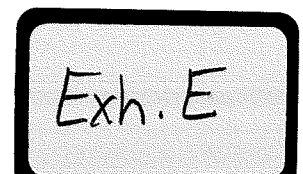
1. My name is John M. Hessel and I am over the age of 18 years of age and competent to testify to all facts set forth herein.

2. At all times relevant herein, I have been a member of the law firm of Lewis, Rice & Fingersh, L.C. ("Lewis Rice").

3. At all times relevant herein, I have served as the city attorney for the City of Kirkwood ("Kirkwood").

4. I am familiar with Charles Thornton.

5. Following the commencement of this litigation, Mr. Thornton started appearing outside the business offices of Lewis, Rice & Fingersh and outside my personal residence, carrying and/or displaying posters stating: (i) The City of Kirkwood's Mayor is a "Liar", (ii) Lewis, Rice & Fingersh Attorney John Hessel is a "Liar", (iii) Two Liars Makes One "Cover-up", (iv) If You Need a Lying Attorney !!! Please Call Lewis, Rice & Fingersh, LC, Ask for "John Hessel", (v) Lying to a Federal Judge – No Problem !!! Call Lewis, Rice & Fingersh, LC, Ask for "John Hessel". (A true and correct copy of certain photographs of Plaintiff appearing




outside my business offices are contained at Exhibit 1 hereto.).

6. On or about July 23, 2007, I applied for an Order of Protection and following a hearing on August 6, 2007, an Order of Protection was granted against Mr. Thornton prohibiting Mr. Thornton from entering or staying upon the premises or the dwelling of my personal residence located at 1923 Sunny, Kirkwood, Missouri or my place of business at 500 N. Broadway, St. Louis, Missouri, and from coming within 1000 feet of my personal residence or business. (A true and correct copy of that Order of Protection is attached hereto as Exhibit 2.).

7. The Order of Protection does not ban Mr. Thornton from going to Kirkwood City Hall and it does not ban Mr. Thornton from attending Kirkwood Council meetings.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury under the laws of the United States, that the foregoing is true and correct and, if sworn as a witness, I could and would testify confidently thereto.

Executed on this 13th of October, 2007 in St. Louis, Missouri.


John M. Hessel